

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 134, Page 1, Section A, Line 4, by
2 inserting immediately after all of said section and line the following:

3
4 "59.800. 1. Beginning on July 1, 2001, notwithstanding any other condition precedent
5 required by law to the recording of any instrument specified in subdivisions (1) and (2) of
6 subsection 1 of section 59.330, an additional fee of [~~five~~] six dollars shall be charged and collected
7 by every recorder of deeds in this state on each instrument recorded. The additional fee shall be
8 distributed as follows:

9 (1) One dollar and twenty-five cents to the recorder's fund established pursuant to
10 subsection 1 of section 59.319, provided, however, that all funds received pursuant to this section
11 shall be used exclusively for the purchase, installation, upgrade and maintenance of modern
12 technology necessary to operate the recorder's office in an efficient manner;

13 (2) One dollar and seventy-five cents to the county general revenue fund; and

14 (3) [~~Two~~] Three dollars to the fund established in subsection 2 of this section.

15 2. (1) There is hereby established a revolving fund known as the "Statutory County
16 Recorder's Fund", which shall receive funds paid to the recorders of deeds of the counties of this
17 state pursuant to subdivision (3) of subsection 1 of this section. The director of the department of
18 revenue shall be custodian of the fund and shall make disbursements from the fund for the purpose
19 of subsidizing the fees collected by counties that hereafter elect or have heretofore elected to
20 separate the offices of clerk of the circuit court and recorder. The subsidy shall consist of the total
21 amount of moneys collected pursuant to subdivisions (1) and (2) of subsection 1 of this section
22 subtracted from fifty-five thousand dollars, except if the annual average of funds collected under
23 subsection 1 over the previous three-year period is insufficient to meet all obligations calculated in
24 this subdivision and in which case the provisions of subdivision (2) of this subsection shall apply.
25 The moneys paid to qualifying counties pursuant to this subsection shall be deposited in the county
26 general revenue fund. For purposes of this section a "qualified county" is a county that hereafter
27 elects or has heretofore elected to separate the offices of clerk of the circuit court and recorder and
28 in which the office of the recorder of deeds collects less than fifty-five thousand dollars in fees
29 pursuant to subdivisions (1) and (2) of subsection 1 of this section, on an annual basis. Moneys in
30 the statutory county recorder's fund shall not be considered state funds and shall be deemed nonstate
31 funds.

32 (2) If funds collected under subdivision (3) of subsection 1 of this section are insufficient to
33 meet obligations set out in subsection 1 of this section, the department of revenue shall calculate the
34 projected shortfall that would otherwise be incurred using the formula set out above. If the fund
35 balance is greater than the annual average disbursement of the previous three years, then up to
36 thirty-three percent of such excess may be used to meet the obligation. If this amount is insufficient

Action Taken _____ Date _____

1 or unavailable, the director of the department of revenue shall set a new requisite amount to
2 determine a qualified county under subdivision (1) of this subsection other than fifty-five thousand
3 dollars, which reflects the revenue collected under subdivision (3) of subsection 1 of this section
4 plus an additional thirty-three percent should the balance exist in the statutory recorder's fund."; and
5

6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.